

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Lou Brandon and Hillary Wright,

Plaintiffs,

- against -

22-cv-03137 (JGK)

THE CITY OF NEW YORK; MAYOR BILL
DE BLASIO; COMMISSIONER DERMOT
SHEA; NYPD CHIEF OF DEPARTMENT
TERENCE MONAHAN; NYPD POLICE
OFFICER DAVID JOHNSON, and NYPD
MEMBER DOES 1-14, Defendants.

CIVIL SCHEDULING ORDER

JOHN G. KOELTL, District Judge:

Pursuant to Fed. R. Civ. P. 16(b), after holding a conference in this matter on September 2, 2022, the Court hereby orders that:

Pleadings and Parties: Except for good cause shown:

1. No additional parties may be joined or cause of action asserted after ___15 days after settlement conference__.
2. No additional defenses may be asserted after ___15 days after settlement conference__.

Discovery: Except for good cause shown, all discovery shall be commenced in time to be completed by ___ as this is a 1983 Plan case, the parties anticipate approximately 6 months required for the completion of all discovery (mediation date expected to be set Sept 16, 2022)_. The Court expects discovery to be completed within 60 days of the first scheduling conference unless, after the expiration of that 60 day period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to complete discovery. The expert disclosures required by Fed. R. Civ. P. 26(a)(2) shall be made at least 30 days before the completion of discovery.

Dispositive Motions:* Dispositive motions, if any, are to be completed by ___30 days after the end of discovery_. The parties are advised to comply with the Court's Individual Practice 2(B) regarding motions, and to submit one fully briefed set of courtesy copies to the Court.

Pretrial Order/Motions in Limine:* A joint pretrial order, together with any motions in limine or motions to bifurcate, shall be submitted by ___30 days after dispositive motion practice_. In jury cases, parties shall submit requests to charge and voir dire requests. In non-jury cases, the parties shall also submit proposed findings of fact and conclusions of law. The pretrial order shall conform to the Court's Form Joint Pretrial Order, a copy of which may be obtained from the Deputy Clerk.

* **Note:** In the event a **dispositive motion** is made, the dates for submitting the **Joint Pretrial Order** (together with Memoranda of Law, Requests to Charge, Proposed Voir Dire, Proposed Findings of Fact and Conclusions of Law, as appropriate) shall be changed from that shown above to **three (3) weeks** from the decision on the motion. The **ready trial date** shall be adjourned to a date **four (4) weeks** after the decision on the dispositive motion. The final pretrial conference, if any, will be scheduled by the Deputy Clerk.

At any time, **after the ready for trial date**, counsel must notify the Court and their adversaries in writing of any potential scheduling conflicts, including, but not limited to, trials and vacations, that would prevent a trial at a particular time. Such notice must come **before** counsel are notified by the Court of an **actual trial date, not after**. Counsel should notify the Court and all other counsel in writing, at the earliest possible time of any particular scheduling problems involving out-of-town witnesses or other exigencies.

Trial:* The parties shall be ready for trial on ____ hours notice on or after _____. The estimated trial time is ____ days, and this a jury ____/non-jury ____ trial.
UNKNOWN AT THIS TIME.

Other:

This is a Plan case and a pre-mediation conference is scheduled for September 16 with Judge Weiner, at which time the parties anticipate that a virtual mediation date will be set.

_____ The case is referred to the Magistrate Judge for purposes of settlement
(See attached Reference Order).

_____ The parties will notify the Court by _____ whether a reference to the Magistrate Judge would be useful for purposes of settlement and whether they consent to trial before the Magistrate Judge. The parties may communicate with the Court with respect to these matters by joint letter. If the parties consent to trial before the Magistrate Judge, they are directed to do so by stipulation.

JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

SO ORDERED.

Dated: New York, New York